

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Guardian)

(1) Third Account Current and Report of Successor Conservator and (2) Petition for Allowance of Compensation to Successor Conservator and Attorney

Age: 73 years		PUBLIC GUARDIAN , Successor Conservator of the Person and Estate, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 7/9/2011 – 6/30/2013	Note: If the <i>Petition</i> is granted, Court will set a status hearing as follows:
Cont. from		Accounting - \$195,691.32	<ul style="list-style-type: none"> Friday, September 4, 2015 at 9:00 a.m. in Dept. 303 for filing of the fourth account.
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$158,744.01	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$ 98,219.76 (<i>\$98,069.76 is cash</i>)	
<input type="checkbox"/>	Inventory	Conservator - \$3,249.96	
<input type="checkbox"/>	PTC	(23.76 Deputy hours @ \$96/hr and 12.75 Staff hours @ \$76/hr; includes 12 hours for move of the Conservatee from CA Armenian Home to Orchard Park.)	
<input type="checkbox"/>	Not.Cred.	Attorney - \$1,250.00 (<i>less than per Local Rule</i>)	
<input checked="" type="checkbox"/>	Notice of Hrg	Bond fee - \$581.40 (OK)	
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		<p>Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.</p>
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		<p>Reviewed by: LEG</p> <p>Reviewed on: 8/29/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 – Vogt</p>
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Atty Wright, Janet L., of Wright & Johnson (for Petitioner Carolyn Y. Nishi, Conservatee)

Petition for Termination of Conservatorship [Prob. C. 1860, et seq.]

Age: 63 years		<p>CAROLYN Y. NISHI, Conservatee, is Petitioner.</p> <p>Petitioner requests the Court terminate the Conservatorship of the Estate based upon the following:</p> <ul style="list-style-type: none"> • She voluntarily petitioned the Court for establishment of a conservatorship of her estate for the sole purpose of having the assistance of a conservator to represent her interests as needed in the proceedings for dissolution from her husband; • The Court granted the <i>Petition for Conservatorship</i> and <i>Letters of Conservatorship of the Estate</i> were issued to Petitioner's brother, MICHAEL K. HAYASHI, on 9/20/2011; • The only powers granted to the Conservator were specified on Attachment 3i to the <i>Letters [list of powers omitted]</i>; (copy of <i>Letters</i> attached as Exhibit A); • Pursuant to the powers granted to him, the Conservator signed jointly with Petitioner (Conservatee) to engage the services of Attorney Cheryl Browns in the dissolution matter; • A marital settlement agreement has been negotiated and executed; the Family Law matter is in a position to be finally resolved and a Judgment of Dissolution is expected to be entered by the Family Law Court prior to the hearing date on this <i>Petition</i>; • Since the purpose has been accomplished, the conservatorship is no longer necessary and Petitioner is requesting termination of the conservatorship (<i>Consent of Michael K. Hayashi to Termination of Conservatorship is attached as Exhibit B</i>); • Since the Conservator neither had the power to, nor did he collect or hold assets, no accounting is required; • Petitioner requests the Court waive the requirement of notice of this <i>Petition</i> since the Conservatorship was established voluntarily by the Conservatee and is not being terminated due to the death of the Conservatee. <p>Court Investigator Julie Negrete's Report was filed 9/3/2013.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Court records for the Conservatee's Family Law Case 11CEFL06121 show the Judgment for Dissolution of Marriage was granted and the marital termination date is 7/31/2013.</p>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		<p>Reviewed by: LEG</p> <p>Reviewed on: 8/30/13</p> <p>Updates: 9/3/13</p> <p>Recommendation:</p> <p>File 2 – Nishi</p>		

(1) First and Final Report of Executrix and Petition for Its Settlement, and (2) for
Final Distribution Under Decedent's Will of Waiver of Accounting [Prob. C. 11640]

DOD: 11/17/2011		JUDY TOLER , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need property on hand schedule clearly stating the property on hand to be distributed. California Rules of Court, Rule 7.651 and Local Rule 7.12.1. 2. Petition does not contain a statement regarding if notice to the Franchise Tax Board was performed, as required by Probate Code 9202(c)(1). 3. Order does not comply with Local Rule 7.6.1A. Orders shall set forth all matters ruled on by the court, the relief granted, and the names of person, descriptions of property and/or amounts of money affected with the same particularity required of judgments in general civil matters. Monetary distributions must be stated in dollars, and not as percentages of the estate.
		Accounting is waived.	
		I & A - \$253,275.69	
Cont. from 070813		POH - ???	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified	X Attorney - waives	
<input checked="" type="checkbox"/>	Inventory	Executor - not addressed	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Distribution of property on hand pursuant to decedent's will is to:	
<input checked="" type="checkbox"/>	Notice of Hrg	Judy Toler	
<input checked="" type="checkbox"/>	Aff.Mail	Terry Arnold Annette Nichols Steph	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice	X	

4 Emily Scharer (Det Succ)
Atty Knudson, David N. (for Petitioner Mary Jo Cardoza)
Atty Teixeira, J. Stanley (for Objector Michele Cardoza)

Case No. 13CEPR00059

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 2/24/12		MARY JO CARDOZA , daughter, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD.	
		No other proceedings.	CONTINUED FROM 8/15/2013. As of 8/29/2013 no additional documents have been filed.
Cont. from 022113, 022813, 032813, 060613, 071113, 081513		I & A - \$80,000.00	
		Will dated 1/14/12 devises decedent's ½ interest in real property to Mary Jo Cardoza.	
Aff.Sub.Wit.		Petitioner requests Court determination that Decedent's ½ interest in real property located in Selma California passes to her pursuant to Decedent's Will.	
✓	Verified	Objections to Petition to Determine Succession filed by Michele Cardoza on 3/22/13. Objector states the real property identified in the petition (the Property) was and is subject to an agreement (the Agreement) between decedent, Emily Scharer and Mary Jo Cardoza, Joseph Cardoza, William Cardoza, Michael Cardoza and Objector.	
✓	Inventory		
✓	PTC	To understand the terms of the Agreement, reference is made to case no. 219958-6, the Estate of Mary Silva. Mary Silva died in 1977 and was the mother of Emily Scharer, and grandmother of Mary Jo Cardoza, Joseph Cardoza, William Cardoza, Michael Cardoza and Objector.	
	Not.Cred.		
✓	Notice of Hrg	The Last Will and Testament of Mary Silva devised her entire estate to her six grandchildren and made no provisions for her daughter, Emily Scharer.	
✓	Aff.Mail		
	Aff.Pub.	Included in her estate was an undivided ½ interest in the Property. During the course of the administration of the estate of Mary Silva, the Agreement was made between Emily Scharer, who held the other ½ interest in the Property, and the six grandchildren of Mary Silva, who were to receive Mary Silva's ½ interest in the Property.	
	Sp.Ntc.		
	Pers.Serv.	Please see additional page	
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

The material terms of the Agreement were that Emily Sharer would receive all income/profit from the Property during her life and, in exchange for the grandchildren foregoing any interest in the income/profit during her life, she would, upon her death, give the exempted portion of the real property contained in the legal description of the Property to her children equally. Thus, upon the death of Emily Scharer, the farmland and the portion surrounding and containing the residence would be merged and the ownership of the parcels would be held equally by the six grandchildren of Mary Silva.

The Agreement was prepared and executed by the law offices of Shepard, Shepard and Janian, and resulted in a Grant Deed being recorded with the County Recorder on 6/13/1978, whereby Emily Scharer was given a life estate in the Property.

As also part of the Agreement, final distribution of the estate of Mary Silva was entered on 10/23/1978. The decree distributes the Property to the six grandchildren without reference to the Agreement and the previously recorded Grant Deed.

Objector states she contacted the law offices of Shepard, Shepard and Janian about obtaining a copy of the Agreement. Objector was told that Mary Jo Cardoza obtained Emily Scharer's file and the office did not keep a copy.

Of the six grandchildren of Mary Silva who might attest to the existence of the Agreement, Objector states she is the only one able and willing to step forward; Margaret died in 2004, William died in 2005, Joseph has dementia, Michael, for whatever reason, has aligned himself with Mary Jo, and the interests of Mary Jo.

Objector states that while she is unable to produce the written Agreement, the written documents available provide evidence that the parties to the Agreement acted and performed according to the terms of the Agreement, save for Emily Scharer completing her performance as required.

Minute order dated 3/28/2013 states the Court directs counsel to submit a joint document showing the chain of title and what it represents.

Minute Order dated 07/11/13 states Mr. Teixeira informs the Court that he is waiting to receive the chain of title documents. Mr. Teixeira requests a continuance. Matter continued to 08/15/13. Mr. Teixeira is directed to have a title report by the next hearing.

Notice of Motion and Motion for Distribution of Funds Received from CalSTRS by Guardian of the Person to be Paid to the Parent, Tony Navarro, for the Minor's Benefit

[illegible]

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Petitioner states that while he is married and his current wife does earn sufficient income to support the household, the ongoing support and care of the minor child is NOT the legal responsibility of his spouse.

Petitioner states he is among the persons authorized by law to receive the benefits on behalf of the child. California Education Code §23855 and 23856 cited.

Petitioner states that if no guardianship of the estate had been established, he would be entitled to receive this benefit. However, the code does not designate as to who would have priority between a guardian of the estate and a parent having custody. Petitioner contends that the present situation makes absolutely no logical sense, nor would it be just or equitable to allow the guardian of the estate, who was appointed to oversee assets such as the decedent's vehicle, bank accounts, and various items of furnishing or other personal property, to have exclusive control over a monthly survivor benefit for the benefit of the child.

Petitioner states it seems quite clear that the monthly allowance from CalSTRS was intended to be an ongoing payment for the surviving children's health, well-being, and support. If such funds were intended to be accumulated into a blocked account as an investment for the child, then it would be much more logical that such sum would be awarded as a lump sum. As such, funds intended to provide for the child's ongoing needs should be paid to Petitioner.

Petitioner prays that the Court issue an order that the Guardian of the Estate pay forthwith to Petitioner fbo the minor child all sums received from the California State Teachers' Retirement System (CalSTRS) after such sums have been placed into a blocked account pursuant to this Court's order of 5-8-13.

Jennifer Sanchez, Guardian of the Estate, filed a Reply on 8-27-13. Ms. Sanchez states she is also the trustee of a living trust executed by the mother. The parents had a contentious relationship until the mother's death, and at her death, Petitioner sought to join Ms. Sanchez, as trustee of the trust, into the existing family law matter. During the family law proceeding, he sought modification of a child support order for \$241/month.

Ms. Sanchez states that immediately after the mother's death, Petitioner sought to obtain her trust assets for the minor's support through a motion for joinder. Although successful in joining her, as trustee, for a very limited purpose (to obtain reimbursement for one-half unpaid health and child care benefits from date of death), no ongoing support order was made against the mother which would now authorize a claim against the trust, nor the assets of this guardianship proceeding. On 7-30-13, Petitioner filed a Notice of Appeal of the court's order in the family law proceedings. That matter is currently pending.

The Reply states that the CA Education Code referenced was the basis for this court's order authorizing the guardian to receive the CalSTRS benefits as guardianship assets. Petitioner's moving papers fail to disclose the fact that he is receiving Social Security Survivor benefits for the support of the minor. Ms. Sanchez believes those are approx. \$300/month, which is more than the amount that he previously paid the mother in child support.

SEE ADDITIONAL PAGES

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Re a guardian's use of guardianship assets to support a child: It is the parents, not the guardian, who has a duty to provide financial support for the minor. Authority cited. Because a parent has the legal obligation to support his or her minor child, the minor's assets are to be preserved until he or she attains majority, if the minor has a parent available to provide support. As a matter of almost universal court policy, the guardian may not use guardianship assets without prior court approval, and **unless the minor's parents are deceased or unavailable, approval is given only in extraordinary circumstances.** (Probate Code §2422; Family Code §3902; CEB 10.20, 10:24).

Ms. Sanchez states Petitioner is responsible for support of his child. Petitioner seeks a turnover of all CalSTRS benefits on a monthly basis for his use, without establishing that guardianship assets should be available to him, or the legal grounds under which he is somehow entitled to these assets. He has attempted for more than four years to obtain assets of the decedent. He was successful in reducing his child support obligation to her shortly before she died. Through an appeal on the family law proceeding, an objection to the establishment of the guardianship proceeding, and now this motion to gain access to the assets, he continues the vindictive and malicious attack on the decedent. His recent actions explain exactly why the mother carefully executed her estate plan prior to her death, to place a trusted family member in charge of assets which will ultimately be transferred to the minor in adulthood.

Petitioner fails to show facts sufficient to compel Ms. Sanchez to furnish support under Probate Code §2404. Ms. Sanchez is informed and believes that Petitioner's household income exceeds \$100,000.00 and that he has an ownership interest in at least one home and one rental property. At no time has he spoken to Ms. Sanchez re specific needs for which additional funds are needed. He has not spoken to her at all.

Guardianship assets currently total approx. \$53,157.00. These funds should be preserved for the minor. Should Petitioner bring a petition under §2404 and establish need for support, maintenance, education, or special needs that cannot otherwise be met by the father, Ms. Sanchez shall readily comply with any court order regarding same. She shall also request appointment of a Guardian Ad Litem for the minor to investigate the facts alleged in such a petition.

Attached to the Reply is a copy of the 4-30-13 Findings and Order in 08CEFL00595

Ms. Sanchez requests the motion be DENIED.

NEEDS/PROBLEMS/COMMENTS (Cont'd):

3. Petitioner requests the Court take Judicial Notice of the underlying litigation in 08CEFL00595; however, Cal. Rules of Court 3.1306(c) requires that the party specify in writing the part of the file sought to be judicially noticed, and make arrangements to have the file available at the hearing. Continuance for such information may be required if Petitioner is requesting Judicial Notice of parts of the family law court file.

Age: 15		<p align="center"><u>TEMPORARY EXPIRES 09/05/13</u></p> <p>DIANA BREWSTER, sister, is Petitioner.</p> <p>Father: GEORGE BREWSTER, SR. – <i>deceased</i></p> <p>Mother: OTILIA BREWSTER – <i>deceased</i></p> <p>Paternal grandfather: WILLIAM BREWSTER – <i>deceased</i></p> <p>Paternal grandmother: INEZ BREWSTER – <i>deceased</i></p> <p>Maternal grandfather: CATARINO CISNEROS – <i>deceased</i></p> <p>Maternal grandmother: JULIA CISNEROS – <i>deceased</i></p> <p>Petitioner alleges that both parents are deceased. It was Angel's mother's wish that Petitioner be appointed as guardian. Petitioner is Angel's godmother and he currently lives with her. Petitioner states that Angel wants to remain living with Petitioner.</p> <p>Court Investigator Samantha Henson's report filed 08/29/2013.</p>	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			n/a
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: LV	
			Reviewed on: 08/29/2013	
			Updates:	
			Recommendation:	
			File 6 – Cisneros	

Age: 16 DOB: 04/28/97		<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:	
		ISABEL VELASQUEZ, mother, is Petitioner.		1. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Estate <u>or</u> Declaration of Due Diligence <u>or</u> Consent & Waiver of Notice for:	
		Father: JUVENTINO ESPINOSA - deceased		- Salvador Velasquez (maternal grandfather)	
Cont. from		Paternal grandfather: DECEASED		- Maria Sanchez (maternal grandmother)	
	Aff.Sub.Wit.		Paternal grandmother: CARLOTTA ESPINOSA - deceased	- Jesse Espinosa (brother)*	
✓	Verified		Maternal grandfather: SALVADOR VELASQUEZ	*Proof of service filed 07/31/13 shows service by mail to Jesus Espinosa, it is unclear whether Jesus and Jesse are one in the same person.	
	Inventory		Maternal grandmother: MARIA SANCHEZ	2. Need Order to Deposit Funds into Blocked Account (form MC-355).	
	PTC		Siblings: ROBERTO ESPINOSA, SUZANNA PEREZ, JESSE ESPINOSA, JUVENTINO ESPINOSA, JR.	Note: If the petition is granted status hearings will be set as follows:	
	Not.Cred.		Petitioner states that the minor's father died on 12/14/08. He was entitled to payments from various asbestos related litigation trusts. Benefits are payable to his heirs. Appointment of a guardian of the estate is necessary to sign documents agreeing to allocation of benefits between decedent's heirs and to receive proceeds on behalf of the minor. All proceeds will be deposited in a blocked account at Bank of America.	• Friday, 02/07/14 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and	
✓	Notice of Hrg			• Friday, 11/07/14 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.	
✓	Aff.Mail	w/		Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.	
	Aff.Pub.			Reviewed by: JF	
	Sp.Ntc.			Reviewed on: 08/30/13	
	Pers.Serv.			Updates:	
✓	Conf. Screen			Recommendation:	
✓	Letters			File 7 – Espinosa	
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report	n/a			
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA	n/a			
	Citation				
	FTB Notice				

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 03/18/13		JOHN KEVIN WILSON , brother, is Petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Petitioner is a resident of Getzville, NY	1. The court may require bond if the proposed personal representative resides outside California or for other good cause, even if the will waives bond, pursuant to California Rules of Court 7.201(b) and Probate Code 8571.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	All heirs waive bond (per Petition, petitioner is the only surviving heir)	Note: If the petition is granted status hearings will be set as follows:
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Full IAEA – OK	<ul style="list-style-type: none"> • Friday, 02/07/14 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 11/07/14 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Decedent died intestate	Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<input checked="" type="checkbox"/>	Aff.Mail	Residence: Sanger	
<input checked="" type="checkbox"/>	Aff.Pub.	Publication: The Sanger Herald	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Estimated Value of the Estate:	
<input type="checkbox"/>	Conf. Screen	Real property - \$175,000.00	
<input checked="" type="checkbox"/>	Letters	Probate Referee: STEVEN DIEBERT	Reviewed by: JF Reviewed on: 08/30/13 Updates: Recommendation: File 8 – Wilson
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Petition for Probate of Will and for Letters Testamentary and Petition for Letters of Administration (Prob. C. 8002, 10450)

DOD: 07/25/13		BRUCE M. BROWN , named Executor without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner requests appointment without IAEA authority	1. Duties & Liabilities was not dated by Bruce Brown.
Cont. from		Will dated 02/10/87	Note: If the petition is granted status hearings will be set as follows:
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Residence: Fresno Publication: Business Journal	<ul style="list-style-type: none"> • Friday, 02/07/14 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 11/07/14 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Estimated Value of the Estate:	Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Personal property - \$ 36,000.00	
<input checked="" type="checkbox"/>	Aff.Mail	Annual income - 70,000.00	
<input checked="" type="checkbox"/>	Aff.Pub.	Real property - 520,000.00	
<input type="checkbox"/>	Sp.Ntc.	Total - \$626,000.00	
<input type="checkbox"/>	Pers.Serv.	Probate Referee: RICK SMITH	
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: JF
Reviewed on: 08/30/13
Updates: 09/03/13
Recommendation:
File 9 – Enos

Age: 16		<u>GENERAL HEARING 10/30/13</u>		NEEDS/PROBLEMS/COMMENTS:	
		TEQUISHA OLOIZA, half-sister, is Petitioner.		1. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Temporary Petition <u>or</u> Consent & Waiver of Notice on Jonathan Evans (minor).	
		Father: BRADLEY J. EVANS – Consent & Waiver of Notice filed 08/26/13			
		Mother: LAURA LEE – Consent & Waiver of Notice filed 08/26/13			
Cont. from		Paternal grandfather: UNKNOWN			
	Aff.Sub.Wit.	Paternal grandmother: UNKNOWN			
✓	Verified	Maternal grandfather: RICHARD OLOIZIA – Served by mail 08/28/13			
	Inventory	Maternal grandmother: SHIRLEY TARVIN - Served by mail 08/28/13			
	PTC	Petitioner states that Jonathan has lived in Texas with his father most of his life, spending summers here in California with his grandmother and Petitioner. This summer, Jonathan has expressed that he wishes to stay in California and finish high school here. Both parents consent. Petitioner states guardianship is necessary to enroll Jonathan in school and seek medical care if needed.			
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	w/			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 08/30/13	
				Updates:	
				Recommendation:	
				File 10 – Evans	

		<p>On 5-21-13, pursuant to Amended Petition filed by David and Arlene Liles, Guardians Ad Litem for Raven Nicole Bailey, minor beneficiary, the Court appointed H.F. RICK LEAS, a licensed professional fiduciary, as Successor Trustee of the Amended Carol Bailey Living Trust with bond of \$500,000.00 on 5-21-13. Bond was filed on 5-31-13.</p> <p>Order 5-21-13 also requires ALLISON ST. LOUIS, as successor or representative of the prior trustee DAVID J. ST. LOUIS, to file an accounting with the Court, which accounting shall be prepared by Dritsas, Groom and McCormick, LLP, within four weeks of the order.</p> <p>The Court set this status hearing for the filing of the accounting.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 6-14-13, 8-16-13</u></p> <p>Note: There were no appearances on 6-14-13 or 8-16-13. Copies of the minute orders were mailed to Attorney Winter and Allison St. Louis.</p>
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		<p>Reviewed by: skc</p> <p>Reviewed on: 8-29-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 - Bailey</p>	

Atty Ramirez, Jr., Edward R., of Ramirez Law Office (Attorney of record for Priscilla Martinez)
 Pro Per Martinez, Priscilla (Pro Per Petitioner, Guardian of the Estate, mother)

Ex Parte Petition for Withdrawal of Funds from Blocked Account

Age: 18 years		<p>PRISCILLA MARTINEZ, mother and Guardian of the Estate appointed on 12/18/2003, is Petitioner. Ward attained age 18 on <u>10/22/2012</u>.</p> <p>Inventory and Appraisal filed 10/11/2005 by Attorney Ramirez shows the guardianship estate consisted of cash in a blocked account in the sum of \$38,607.33 at that time.</p> <p>First Account Current, Report and Petition for its Settlement and Waiver of Fees by Guardian was filed by Attorney Ramirez on 12/12/2005, and the Order Settling First Account, etc. was filed 1/25/2006, which does not constitute a final account or request for distribution.</p> <p>Petitioner filed on 8/5/2013 an Ex Parte Petition for Withdrawal of Funds from Blocked Account, requesting withdrawal of the entire current balance of the blocked account of \$41,892.52 for the reason that the minor has attained the age of 18 years and this is a final distribution.</p> <p>Order Re: Ex Parte Petition for Withdrawal of Funds from Blocked Account filed 8/13/2013 finds: Petitioner Priscilla C. Martinez, mother and Guardian of the Estate, states the minor has turned 18 and requests distribution of the account to him on an ex parte basis. However, no release has been signed by the former minor pursuant to Probate Code § 2627, and no final account has been filed pursuant to Probate Code §§ 2620 and 2630. The Order set this matter for hearing on 9/5/2013, and orders that Petitioner and the ward, Tyler Nathaniel Miralavi, be personally present.</p> <p>Clerk's Certificate of Mailing filed 8/14/2013 shows a copy of the Order Re: Ex Parte Petition for Withdrawal of Funds from Blocked Account was mailed to Priscilla Martinez and Tyler Miralavi on 8/14/2013.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Attorney of record for this case is Edward R. Ramirez, who, based upon Court records, <u>has not</u> been notified of this hearing, and who <u>has not</u> filed a <i>Substitution of Attorney</i> such that the Petitioner Priscilla Martinez would be self-represented.</p> <p>Note: Guardianship of the Estate of Trinity Miralavi, Case 03CEPR00329, appears to have the same issues to be addressed as the instant case, as they are companion cases with essentially identical orders issued on the same date (1/25/2006). Court may wish to set a status hearing in Case 03CEPR00329 for the filing of a final account of the guardianship estate of <u>Trinity Miralavi</u>.</p> <p>~Please see additional page~</p>	
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NEEDS/PROBLEMS/COMMENTS, continued:

1. *Notice of Hearing* has not been filed by the Petitioner showing proof of 15 days' notice of this petition for withdrawal of funds to Tyler Miralavi pursuant to Probate Code §§ 2621 and 1460. However, Court may excuse notice to him under Probate Code § 1460.1, if the Court determines that notice was properly given to a parent or guardian with whom the minor resides; or that the petition is brought by a parent or guardian with whom the minor resides. If Court confirms that Tyler Miralavi resides with the Petitioner, Court may excuse proof of service of notice to the ward.
2. Probate Code § 2627 states after the ward has reached the age of majority, the ward may settle accounts with the Guardian and give the Guardian a release which is valid if obtained fairly without undue influence. Petitioner has not submitted any proof of such settlement of account and release as part of the petition to withdraw funds, nor has Petitioner established as part of the petition that Tyler Miralavi is aware of and consents to the withdrawal of funds from the blocked account comprising the assets of his guardianship estate. Need final account and/or report of the guardianship estate pursuant to Probate Code §§ 2620 and 2630, or release from Tyler Miralavi pursuant to Probate Code § 2627.

Petition for Termination of Guardianship (Jason Eric Throop, Jr.)

Jason, 14		JANELLE LOPEZ, mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		GAIL SHORE, paternal grandmother, was appointed as Guardian on 08/26/04.	<u>Petition pertains only to Jason Throop Jr.</u>
Cont. from		Father: JASON E. THROOP, SR.	1. Need Notice of Hearing.
	Aff.Sub.Wit.		
✓	Verified	Paternal grandfather: NOT LISTED	2. Need proof of service fifteen (15) days prior to the hearing of the Petition for Termination of Guardianship for:
	Inventory		
	PTC	Maternal grandfather: ERNEST MARTEAU	<ul style="list-style-type: none"> • Jason E. Throop, Sr. (Father) • Paternal Grandfather (Not Listed) • Ernest Marteau (Maternal Grandfather) • Donna Jones (Maternal Grandmother) • Jason Throop Jr. (Minor) • Therese Throop (Minor)
	Not.Cred.	Maternal grandmother: DONNA JONES	
	Notice of Hrg	x	
	Aff.Mail	x	
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		<p>Petitioner states: that the minor, Eric Throop Jr. has decided to live with the petitioner and is not happy at his grandmother's home. Petitioner state that the minor is very unhappy in the home of the guardian. Petitioner alleges that the minor's grandfather has punched the minor and calls him names such as fat ass, gay, and faggot. Petitioner states that the grandmother/guardian has violated court orders by allowing the children to live with their father when he is only supposed to have visitation. The minor is currently living with the mother for the summer and does not want to return to the home of the guardian. Petitioner states that the minor recently cut his wrist at his grandmother's home and text the mother a picture stating he wants to die. This behavior has not occurred since he has been in the home of the mother/petitioner.</p> <p><u>Please see additional page</u></p>	<p>Reviewed by: LV</p> <p>Reviewed on: 08/30/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 – Throop</p>

13 Jason Throop Jr and Therese Throop (GUARD/P) Case No. 04CEPR00198

Declaration of Jason Eric Throop, Jr. filed 07/15/2013 states he does not want to go back to his grandparent's home because he is scared that they will say things to make him stay because last year they told him if he stayed with his mother they would never talk to him again. He states that the grandparents call the mother names and say that she is going to hell for being a lesbian and this makes him angry. He states that the grandfather punches him in the legs and hits him all the time but he is too afraid to report it because he is fearful of going to a foster home. The father called the minor calling him a faggot for dying his hair and wearing eye liner. The minor states that he is very broken inside because of the things that they are saying to him.

Court Investigator Charlotte Bien's report filed 08/16/2013.

14 Destiny Cedano, Alexis Cedano, Victor Cedano, Gabriel Cedano, Noah Cedano, Jayden Cedano, Victoria Cedano, Reyna Cedano and Jonah Cedano (GUARD/P)

Case No 11CEPR00795

Atty Vasquez, Vickie (pro per Guardian/paternal aunt)

Petition for Termination of Guardianship

Age: 13 years DOB: 4/13/2000		VICKIE VASQUEZ , paternal aunt, is petitioner.	NEEDS/PROBLEMS/COMMENTS: This petition is as to <u>VICTOR</u> only. 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Jennifer Cedano (mother) b. Judy Coronado (maternal grandmother) c. Victor Cedano (minor)																																																																				
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Anthony age: 10	TEMPORARY EXPIRES 09/05/2013		NEEDS/PROBLEMS/COMMENTS:
Isaiah age: 7			
	HERMAN MARES, JR., maternal grandfather, is petitioner.		Minute Order of 08/14/2013: Mother and father object to the petition. The Court believes that it would be detrimental for the children to be returned to either parent at this time. 1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Mandy Mares
Cont. from	Father: ANTHONY HERNANDEZ, Sr. , personally served on 07/28/2013		
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<input type="checkbox"/> Citation			
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Mother: MANDY MARES Paternal grandfather: Noel Hernandez, served by mail on 07/12/2013 Paternal grandmother: Isabel Trinidad, served by mail on 07/12/2013 Maternal grandmother: Paula Ortiz, served by mail on 07/12/2013 Petitioner states mom was recently released from jail and is threatening to abscond with the children. At mom's sentencing hearing earlier this year the Court ordered her to attend an in-patient rehab program upon her release from jail. When asked about the rehab Mom stated she did not have to go. Since her release Mom has shown up to the home drunk. Petitioner states he fears for this grandchildren's safety. Court Investigator Jo Ann Morris's report filed 08/28/2013.			
			Reviewed by: LV
			Reviewed on: 08/30/2013
			Updates:
			Recommendation:
			File 15 – Hernandez

AMENDED Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 06/06/13			SUZANNE OKAMURA , sister, is Petitioner, and requests appointment as Administrator without bond. Limited IAEA - ok Decedent died intestate Residence: Fresno Publication: The Business Journal Estimated Value of the Estate: Personal property - \$151,214.00 Probate Referee: RICK SMITH	NEEDS/PROBLEMS/COMMENTS: 1. The Petitioner requests to be appointed without bond. Need waivers of bond from: - Jerrod White (nephew) Note: If the petition is granted status hearings will be set as follows: • Friday, 02/07/14 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 11/07/14 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
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	Citation			
	FTB Notice			
			Reviewed by: JF	
			Reviewed on: 08/30/13	
			Updates:	
			Recommendation:	
			File 16 – Okamura	

AMENDED Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 06/23/13		SUZANNE OKAMURA , daughter, named Executor without bond, is Petitioner. Limited IAEA – ok Will dated 06/13/13 Residence: Selma Publication: The Selma Enterprise <u>Estimated Value of the Estate:</u> Personal property - \$151,214.00 Probate Referee: STEVEN DIEBERT	NEEDS/PROBLEMS/COMMENTS: 1. The Petition is not marked at item 5(a)(1) or (2) regarding spouse or at 5(a)(3) or (4) regarding registered domestic partner. 2. The Petition states that the decedent was survived by issue of a predeceased child. Need name(s) and Date(s) of Death of predeceased child(ren) listed in item 8 pursuant to Local Rule 7.1.1D. <u>Note: If the petition is granted status hearings will be set as follows:</u> <ul style="list-style-type: none"> • Friday, 02/07/14 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 11/07/14 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
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Reviewed by: JF			
Reviewed on: 08/30/13			
Updates:			
Recommendation:			
File 17 – Okamura			

**Petition for Probate of Will and for Letters of Administration with Annexed;
 Authorization to Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 03/31/13		<p>HELEN TSANG, spouse, is Petitioner and requests appointment as Administrator with will annexed without bond.</p> <p>Full IAEA – ok</p> <p>Will dated 12/12/04</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated Value of the Estate:</p> <p>Personal property - \$ 2,500.00 Annual income - 125,000.00 <u>Real property - 330,000.00</u> Total - \$457,500.00</p> <p>Probate Referee: RICK SMITH</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> The Will is not self-proving. Need affidavit of subscribing witness. Need <i>Notice of Petition to Administer Estate</i>. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Petition to Administer Estate</i> on: <ul style="list-style-type: none"> Melanie Tsang Gary Tsang Madelaine Tsang Gerald Tsang Lisa Tsang Petitioner requests appointment without bond; however the will only nominates Lisa Tsang as Executor without bond. Therefore bond will be required or need waivers of bond from: <ul style="list-style-type: none"> Melanie Tsang Gary Tsang Madelaine Tsang Gerald Tsang Lisa Tsang is nominated in the will as Executor, therefore her name, relationship and address should be included at item 8 of the Petition. The original will has not been lodged with the Court. Need Original Will deposited with the court. <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> Friday, 02/07/14 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and Friday, 11/07/14 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>	
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<p>Reviewed by: JF</p> <p>Reviewed on: 08/30/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 – Tsang</p>				

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 12		GENERAL HEARING 10/24/13		NEEDS/PROBLEMS/COMMENTS:	
		ROBERT SOLIS, JR. and CLAUDIA SOLIS, maternal uncle and aunt, are Petitioners.		1. Need Notice of Hearing.	
		Father: ENAIN DIAZ – Declaration of Due Diligence filed 08/22/13 (states father was deported)		2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Temporary Petition or Consent & Waiver of Notice or Declaration of Due Diligence for:	
Cont. from		Mother: CAROLINA ZAMORA		<ul style="list-style-type: none"> - Carolina Zamora (mother) - Eovani Diaz, Jr. (minor) - Enain Diaz (father) – unless diligence is found 	
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg	x			
	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: JF	
				Reviewed on: 08/30/13	
				Updates:	
				Recommendation:	
				File 19 – Diaz	

(1) Thirteenth Account Current and Report of Conservator, (2) Petition for Allowance of Compensation to Conservator and Attorney

Age: 53		PUBLIC GUARDIAN, Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 07/01/11 – 06/30/13	
		Accounting - \$232,798.50	
Cont. from		Beginning POH - \$217,044.03	
	Aff.Sub.Wit.	Ending POH - \$177,630.03	
✓	Verified	Conservator - \$900.40 (6.10 staff hours @ \$76/hr. and 4.55 Deputy hours @ \$96/hr.)	
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Attorney - \$1,250.00 (less than allowed per local rule)	
✓	Aff.Mail w/	Bond fee - \$302.34 (ok)	
	Aff.Pub.		
	Sp.Ntc.	Costs - \$52.00 (certified copies)	
	Pers.Serv.		
	Conf. Screen	Petitioner prays for an Order:	
	Letters	1. Approving, allowing and settling the thirteenth account current;	
	Duties/Supp	2. Authorizing the conservator and attorney fees and commissions;	
	Objections	3. Authorizing payment of the bond fee and costs.	
	Video Receipt		
✓	CI Report		
	9202	Court Investigator Jennifer Daniel filed a report on 05/10/13. The report states that the conservatorship continues to be warranted and in the best interest of the conservatee. It is recommended that the conservatee continues as is.	
✓	Order		Reviewed by: JF
	Aff. Posting		Reviewed on: 08/30/13
	Status Rpt		Updates:
	UCCJEA		Recommendation:
	Citation		File 20 – Ortiz
	FTB Notice		